United Nations E/C.19/2007/L.4

Economic and Social Council

Distr.: Limited
22 May 2007

Original: English

Permanent Forum on Indigenous Issues
Sixth session
New York, 14-25 May 2007
Agenda item 5
Human rights: dialogue with the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

Recommendations on item 5

Submitted by the Rapporteur

1. The Permanent Forum expresses its appreciation to the Special Rapporteur on the human rights and fundamental freedoms of indigenous people and the Special Rapporteur on violence against women for their presence and statements during the sixth session, as well as to the Special Rapporteur on trafficking in persons for the statement she transmitted.

2. The Forum decides to invite the Special Rapporteur on the human rights and fundamental freedoms of indigenous people and the Special Rapporteurs on the right to education and the right to health to its seventh session.

3. The Permanent Forum welcomes the increased cooperation between the Forum and the Special Rapporteur on the human rights and fundamental freedoms of indigenous people and strongly recommends that the Human Rights Council maintain the mandate of the Special Rapporteur.

4. The Permanent Forum recommends that the Human Rights Council consider:

(a) The inclusion of an agenda item addressing indigenous peoples' human rights in the ongoing work of the Council;

(b) Including indigenous peoples' human rights as part of the universal periodic review;

(c) The inclusion of indigenous expertise in the new general expert advisory body being established by the Human Rights Council;

(d) The interventions submitted by an expert member of the Permanent Forum to the Human Rights Council and the working groups;

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(e) Maintaining and strengthening its expertise on indigenous peoples' human rights issues.

5. The Permanent Forum recommends that the Human Rights Council authorize at least one more session of the United Nations Working Group on Indigenous Populations so that it can review and, as needed, complete its important pending work.

6. The Permanent Forum recommends that Mr. Martin Scheinin, the Special Rapporteur on counter-terrorism and human rights, pay particular attention to the impact of anti-terrorism laws on indigenous peoples.

7. The Permanent Forum, understanding that the solidarity and affirmative actions of indigenous peoples' organizations on this issue is a major achievement, welcomes the establishment of the International Committee for the Protection of Indigenous Peoples in Voluntary Isolation and Initial Contact (CIDIACI) in the Amazon and Chaco Regions, and calls on States, civil society and cooperation agencies to support the work of CIPIACI.

8. The Permanent Forum recommends that the World Health Organization (WHO), the Pan American Health Organization (PAHO), the United Nations Children's Fund (UNICEF), States, non-governmental organizations and indigenous peoples' organizations join efforts in implementing appropriate expert health-care actions to prevent disastrous disease problems affecting indigenous peoples in voluntary isolation and recent contact, considering rapid-effect emergency procedures in situations where the health situation is critical, as, at present, in the Javari Valley in Brazil.

9. The Permanent Forum recommends that the Committee on the Elimination of All Forms of Racial Discrimination and relevant special rapporteurs working in the field of human rights review the implementation of their recommendations and provide reports to the Forum at its seventh session regarding their interactions with relevant States and indigenous peoples and also activate, with the Office of the United Nations High Commissioner for Human Rights, when necessary, United Nations inter-agency and inter-department early warning procedures and rapid response mechanisms.

United Nations E/C.19/2007/L.5

Economic and Social Council

Distr.: Limited
22 May 2007

Original: English

Permanent Forum on Indigenous Issues
Sixth session
New York, 14-25 May 2007
Agenda item 6
Half-day discussion on Asia

Recommendations on item 6

Submitted by the Rapporteur

Half-day discussion on Asia

Preamble:

Asia is the most diverse continent of the world. Two thirds of the world's indigenous peoples live in Asia, which is the home of more than 2,000 civilizations and languages. Indigenous peoples in Asia are referred to as tribes, tribal peoples, hill tribes, ethnic or national minorities. Irrespective of their legal status or the different terminologies used for them, indigenous peoples of Asia, experience non-recognition of their cultural identity, exclusion and marginalization, displacement and relocation from their traditional territories, dispossession of lands and resources by State policies and programmes and by State and private corporations engaged in logging, large-scale plantations, mega hydroelectric dams, extractive industries and also by protected areas. The panellists for the half-day session on Asia included the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, representatives of the Asian Development Bank, the International Fund for Agricultural Development (IFAD), the United Nations Population Fund, the International Labour Organization (ILO) and the Asian indigenous peoples' caucus.

1. The Permanent Forum supports the following recommendations which emerged from the session, and calls on Asian States to:

(a) Adopt the United Nations Declaration on the Rights of Indigenous Peoples, as adopted by the Human Rights Council on 29 June 2006, before the end of the sixty-first session of the General Assembly;

(b) Recognize indigenous peoples constitutionally and legally as peoples, promote legal reform, particularly with regard to the recognition of indigenous peoples' communal land rights and to the exploration of the possibility of alternative legal paradigms recognizing indigenous peoples' customary laws and institutions;

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(c) Adopt laws controlling investor activities and mitigating the negative impact of economic liberalization on indigenous peoples' territories;

(d) Have their national laws conform with international laws;

(e) Establish land commissions or mechanisms that address violations of indigenous peoples' land rights, facilitate the restitution of alienated land and settle disputes;

(f) Establish full transparency in projects on indigenous territories by Governments and corporations, namely, the implementation of the principles and mechanisms for free, prior and informed consent, including the provision of information in a timely and appropriate manner, and in accordance with customary laws and practices of the respective indigenous peoples;

(g) Abandon transmigration policies and programmes and the prevention of illegal migration to indigenous territories;

(h) Establish pilot projects demonstrating effective communal land management.

2. The Permanent Forum calls on the European Commission, United Nations agencies, the World Bank Group, the Asian Development Bank, as well as bilateral development agencies, export credit agencies and international and regional financial institutions, such as the Japan Bank for International Cooperation, to review, strengthen and implement their policies applicable to indigenous peoples, in general, and indigenous peoples in Asia, in particular, and to use the United Nations Declaration on the Rights of Indigenous Peoples, as adopted by the Human Rights Council in 2006, as a framework of reference.

3. The Forum further recommends that the Asian Development Bank and the Japan International Bank for Development Cooperation and the Japan International Cooperation Agency be guided by international human rights law and the United Nations Declaration on the Rights of Indigenous Peoples when undertaking the revision of their safeguard policies on indigenous peoples and the updating of their operational manuals and guidelines and to ensure that indigenous peoples from the region are consulted and effectively participate in said processes.

4. The Permanent Forum recommends that national human rights institutions and commissions address indigenous peoples' issues and include indigenous experts as members of such institutions and commissions.

5. The Permanent Forum supports the recommendation of the Asian indigenous peoples' caucus that called on Asian States to establish an Asian human rights commission, which shall include indigenous experts, to monitor the implementation of international human rights conventions and treaties ratified by the States and to inquire into and provide remedies on the violations of human rights and fundamental freedoms of indigenous peoples.

6. The Permanent Forum recommends that United Nations country teams in Asian countries with indigenous populations, in cooperation with indigenous peoples, formulate a matrix of indicators, benchmarks and milestones which shall be used to assess the outcomes and results of their policies and programmes relevant to indigenous peoples. Furthermore, the Forum recommends that United Nations

agencies and donor agencies expand their funding and technical assistance to support capacity-building of Asian indigenous peoples' organizations.

7. The Permanent Forum calls on the Member States of the Association of Southeast Asian Nations (ASEAN) to recognize the collective rights of indigenous peoples and to ensure that, in developing the ASEAN charter, the rights of indigenous peoples are integrated.

8. The Permanent Forum recommends that the Special Rapporteur on counter-terrorism and human rights undertake a study on the implications of national security and anti-terrorist laws, policies and programmes for indigenous peoples and make recommendations for the protection of the human rights of indigenous peoples in the implementation of them.

9. The Permanent Forum denounces the extrajudicial killing of indigenous leaders and activists in several Asian countries, as reported by the Special Rapporteurs on the situation of human rights and fundamental freedoms of indigenous peoples and the Special Rapporteur on extrajudicial summary or arbitrary killings, and urges the concerned countries to investigate these reported cases and to provide redress to the relatives of the victims.

10. The Permanent Forum commends the establishment and achievements of the Regional Indigenous Peoples' Programme of the United Nations Development Programme (UNDP) in Asia, and calls on UNDP to ensure that the funding of that programme will be increased and that similar programmes be set up in other regions.

11. The Permanent Forum calls on Asian countries to be actively and constructively involved in discussions within the United Nations on the promotion and protection of indigenous peoples' rights, including the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, ensuring that indigenous peoples remain an agenda item, including indigenous peoples' rights in universal periodic reviews and strengthening mechanisms and procedures dealing with indigenous peoples.

12. The Permanent Forum calls on United Nations bodies and agencies, such as, inter alia, the country offices of the Office of the United Nations High Commissioner for Human Rights, ILO, IFAD, UNDP, as well as international and regional financial institutions to mainstream indigenous peoples' rights into their own programmes irrespective of the level of recognition of indigenous peoples' rights in domestic regulations and policies.

13. The Permanent Forum urges the World Bank to implement the specific actions identified in the management report and recommendations in response to the inspection panel investigation report in May 2006 on Cambodia, including the recommendation for the termination of existing logging concessions and for the promotion of more equitable and sustainable alternatives on forest management.

14. The Permanent Forum calls on the Special Rapporteur on violence against women and the Special Rapporteur on trafficking in persons to hold regional consultation with indigenous women in Asia, and requests that the United Nations Development Fund for Women support these consultations.

15. The Permanent Forum fully supports the indigenous peoples' organizations and networks in Asia that are planning to undertake assessments of how peace agreements are being implemented in specific countries, and calls on donor agencies to support those initiatives.

United Nations E/C.19/2007/L.6

Economic and Social Council

Distr.: Limited
22 May 2007

Original: English

Permanent Forum on Indigenous Issues
Sixth session
New York, 14-25 May 2007
Agenda item 7
Half-day discussion on urban indigenous peoples and migration

Recommendations on item 7

Submitted by the Rapporteur

Half-day discussion on urban indigenous peoples and migration

1. Global migration increasingly affects indigenous peoples, creating new challenges as well as offering opportunities for improving their living conditions.

2. The Permanent Forum notes with appreciation the work done by UN-Habitat and other United Nations organizations in this field, including the research initiatives with the outcome of the publication *Indigenous Peoples' Housing Rights: A Global Overview*, published in 2006.

3. The International Expert Group Meeting on Urban Indigenous Peoples and Migration, held in Chile in March 2007, expresses its appreciation to the Government of Canada for providing funding and to the Economic Commission for Latin America and the Caribbean (ECLAC) for hosting the event. It also recommends that States, United Nations and civil society organizations and all other stakeholders contribute to the implementation of the above-mentioned report.

4. The Permanent Forum urges similar support from other States, and invites ECLAC to encourage other regional commissions to strengthen their focus on indigenous peoples and issues, particularly regarding the implementation of the recommendations of the report.

5. The Permanent Forum requests that the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people undertake a study on the rights of urban indigenous peoples and migration, paying particular attention to their ability to exercise and enjoy their economic and social rights, and that this study be considered at the eighth session of the Forum. The themes that could be considered by the study include cultural identity, equitable access to essential services and the challenges facing indigenous youth.

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6. Considering the family separations caused by migration, and the psychological impact on children and women left behind, the Permanent Forum recommends that UNICEF:

(a) Conduct a comprehensive study on not only the effects of remittances, but also the psychosocial and cultural impact of migrations;

(b) Promote bilateral dialogue between origin and destination countries to ensure continuity in indigenous children's relationships with their migrant parents and the protection of migrant children;

(c) Support programming for the protection of the rights of children and women left behind.

7. The Permanent Forum urges UNICEF and the United Nations Development Fund for Women to include urban and migrant indigenous women and their children in their studies on violence against women.

8. The Permanent Forum recommends that relevant States, in cooperation with the indigenous peoples concerned, establish indigenous peoples' centres in urban areas to address the medical conditions and provide legal and other forms of assistance.

9. The Permanent Forum, in coordination with the relevant United Nations agencies, decides to conduct focus studies on the trafficking of indigenous women and children to urban centres.

10. The Permanent Forum recommends that relevant States provide mechanisms for forcibly, legally or involuntary displaced indigenous people to be able to return to their original communities, including appropriate forms of compensation and restitution and provision for sustainable livelihoods of displaced indigenous people.

11. The Permanent Forum recommends that the Special Rapporteur on migration pay special attention to the vulnerability of indigenous women and children.

United Nations E/C.19/2007/L.7

Economic and Social Council

Distr.: Limited
22 May 2007

Original: English

Permanent Forum on Indigenous Issues
Sixth session
New York, 14-25 May 2007
Agenda item 8
Ongoing priorities and themes and follow-up:
"Data collection and disaggregation (2004)"

Recommendations on item 8

Submitted by the Rapporteur

Ongoing activities and themes (data collection and disaggregation of data on indigenous peoples)

1. The Permanent Forum welcomes the reports on the various regional, thematic and international workshops on indicators organized by indigenous peoples' organizations in collaboration with the secretariats of the Forum and the Convention on Biological Diversity. Appreciating that these workshops are the beginning of a long-term process, the Forum invites those organizations to continue building indigenous partnerships on indicators, and to carry out the concrete activities identified in their reports, together with Governments, United Nations agencies and technical experts.

2. The Permanent Forum thanks the Agencia Española de Cooperación Internacional of the Government of Spain, the Royal Ministry of Foreign Affairs, Norway and the Swedish International Biodiversity Programme for their financial support for the regional, thematic and international seminars on indicators relevant to indigenous peoples, the Convention on Biological Diversity and the Millennium Development Goals, and urges other donors to contribute to this important work.

3. The Permanent Forum looks forward to the decisions of the ninth Conference of the Parties to the Convention on Biological Diversity on indicators and on the protection of traditional knowledge, innovations and practices, and other related indicators in the strategic plan and biodiversity target for 2010. It calls on the International Labour Organization to provide more information in the future on the status and trends in the practice of traditional occupations.

4. The Permanent Forum urges Governments, indigenous organizations, United Nations agencies and academia to collaborate on national or subnational pilot projects on data disaggregation and collection as recommended by the Asia regional

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workshop on indicators, and calls on the Statistics Division of the Department of Economic and Social Affairs to support these efforts. Taking note of the need for guidelines to ensure the use of culturally sensitive, objective and survey instruments, the Forum invites universities and other technical experts to address this need.

5. Recalling the inter-agency support group report on data disaggregation, the Permanent Forum calls for the implementation of the following recommendations:

(a) The United Nations system should use and further refine existing indicators, such as the common country assessment indicators, Millennium Development Goal indicators and country progress reports, global monitoring instruments and human development indexes to measure the situation of indigenous and tribal peoples;

(b) The national human development reports, produced through nationally owned, editorially independent processes, should systematically include case studies, and should include disaggregated data on indigenous and tribal peoples.

6. The Permanent Forum recommends that the Member States that have not yet done so use their national statistics institutions systematically to collect disaggregated data on indigenous peoples while collecting national census data, for the purpose of informing public policies and resource allocation.

7. The Permanent Forum welcomes the establishment of the Regional Initiative on Indigenous Peoples' Rights and Development of the United Nations Development Programme (UNDP), and in particular the pilot projects on gathering disaggregated data in the Philippines and Nepal. Furthermore, the Forum recommends that the Regional Indigenous Peoples' Programme continue this work in other countries and invites UNDP to establish such regional initiatives in other regions.

8. The Permanent Forum welcomes the initiative of the UNESCO Institute for Statistics, which proposed a project to collect information on best practices in adapting statistical inquiries to the needs of indigenous peoples. The Forum looks forward to the results of this project and invites the Institute to follow up on this work with the Forum through the Forum secretariat.

9. The Permanent Forum welcomes the activities carried out by the Economic Commission for Latin America and the Caribbean (ECLAC) through its Centre for Latin American Demography — Population Division, in particular its adoption of a rights-based approach that considers indigenous peoples' individual and collective rights included in the 2006 edition of the Social Panorama. The Forum recommends that ECLAC:

(a) Increase the number of sociodemographic studies of indigenous peoples, especially those addressing urbanization and migration and their effects on indigenous peoples;

(b) Continue to develop a system of sociodemographic indicators of the indigenous peoples of Latin America in cooperation with the Fondo Indígena, indigenous peoples' organizations and United Nations agencies;

(c) Support production of information by countries on indigenous peoples with reference to access to, quality and cultural relevance of social services, guaranteeing the full participation of indigenous peoples in this process;

(d) Organize an expert group meeting, to prepare operative recommendations to improve the identification of indigenous peoples in the upcoming 2010 round of censuses and other data sources, ensuring the full participation of indigenous peoples in this process;

(e) Produce technical studies and recommendations to States on human rights-based public policies on indigenous peoples in cooperation with United Nations specialized agencies.

United Nations E/C.19/2007/L.8

Economic and Social Council

Distr.: Limited
22 May 2007

Original: English

Permanent Forum on Indigenous Issues
Sixth session
New York, 14-25 May 2007
Item 9
Future work of the Forum, including emerging issues

Draft decision submitted by the Rapporteur

The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decision:

International expert group meeting on indigenous languages

The Economic and Social Council decides to authorize a three-day international expert group meeting on indigenous languages and requests that the results of the meeting be reported to the Permanent Forum at its seventh session.

07-35454 (E) 240507

United Nations E/C.19/2007/L.9

Economic and Social Council

Distr.: Limited
22 May 2007

Original: English

Permanent Forum on Indigenous Issues
Sixth session
New York, 14-25 May 2007
Item 9
Future work of the Forum, including emerging issues

Draft decision submitted by the Rapporteur

The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decision:

Venue and dates of the seventh session of the Permanent Forum on Indigenous Issues

The Economic and Social Council decides that the seventh session of the Permanent Forum on Indigenous Issues shall be held at United Nations Headquarters in New York from 21 April to 2 May 2008.

07-35460 (E) 240507

United Nations E/C.19/2007/L.10

Economic and Social Council

Distr.: Limited
22 May 2007

Original: English

Permanent Forum on Indigenous Issues
Sixth session
New York, 14-25 May 2007
Agenda item 9
Future work of the Forum, including emerging issues

Recommendations on item 9: Future work of the Forum

Submitted by the Rapporteur

1. The Permanent Forum requests the World Intellectual Property Organization (WIPO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) to develop a code of ethics for research among indigenous peoples, based on the principles of free, prior and informed consent, and to disseminate the code in order to meet the widespread ignorance of the rights of indigenous peoples in academic and other research communities.

2. The Permanent Forum recommends that, prior to its seventh session, the United Nations organizations should provide technical assistance and convene, in cooperation with indigenous peoples' organizations, regional workshops on the special theme of the seventh session, "Climate change, and the right and the responsibility to maintain the sacred balance of creation for sustainable livelihoods", with the participation of the members of the Forum, and other experts, indigenous peoples' representatives, indigenous parliamentarians, State representatives and representatives of the United Nations system, in order to formulate recommendations for consideration, as part of its preparatory work for the seventh session. The Forum further recommends that States, organizations and donors provide resources for these regional workshops.

3. The Permanent Forum encourages States to facilitate the active participation of indigenous peoples in the Working Group of the secretariat of the Convention on Biological Diversity on article 8 (j) and Related Provisions of the Convention in October 2007, at which the indigenous indicators will be considered, prior to their submission to the ninth Conference of States parties to the Convention in May 2008.

4. The Permanent Forum recommends that all States, in particular developed States, work in equal partnership with indigenous peoples to develop, implement and evaluate indicators on well-being that provide an overview of the social and economic status of indigenous peoples within a holistic, integrated framework. Furthermore, the Forum recommends that States invest adequate resources (in

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accordance with their human rights obligations) in addressing the indigenous social and economic needs identified by the indicator framework.

5. The Permanent Forum recommends that relevant States with indigenous populations issue an open invitation to the Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous peoples to undertake country visits. The Special Rapporteur should give priority to invitations from those countries where indigenous peoples have expressed concerns about their ability to fully and freely exercise their human rights: in this regard, the Forum calls upon the Government of Australia to show leadership by promptly issuing an invitation to the Special Rapporteur.

6. The Permanent Forum notes that the recommendation in paragraph 24 of the report of the Special Rapporteur states: "... that the Permanent Forum should commission a study ... to determine whether there ought to be a shift in the focus on the protection of indigenous traditional knowledge away from intellectual property law to protection via customary law ... The study should consider how indigenous traditional knowledge could be protected at an international level by utilizing customary law, including the extent to which customary law should be reflected ... at national and regional levels" (E/C.19/2007/10).

7. The Permanent Forum, at its seventh session, should appoint five members to hold specialized meetings on indigenous traditional knowledge during its sessions.

8. The Permanent Forum recommends that the secretariat of the Convention on Biological Diversity facilitate an indigenous peoples' expert workshop on traditional knowledge in a timely manner in order to feed into the fifth meeting of the Working Group on article 8 (j) and Related Provisions and the fifth and sixth meetings of the Working Group on Access and Benefit-sharing in order to support the elaboration by indigenous peoples' of recommendations vis-à-vis an international regime on access and benefit-sharing. This meeting could be organized back-to-back with the meeting of the Inter-Agency Support Group on Indigenous Issues in order to take advantage of the presence of some United Nations agencies to provide technical support and information.

9. The Permanent Forum decides to transmit the report of the expert group meeting to the Executive Secretary of the Convention on Biological Diversity as an informational document for the meetings of the open-ended working group on access and benefit-sharing and the open-ended Working Group on article 8 (j) and Related Provisions, to be presented during the discussion of the relevant agenda item at those meetings.

10. The Permanent Forum decides to organize a side-event on the occasion of the fifth meeting of the open-ended Working Group on Access and Benefit-sharing of the Convention, as an occasion for the co-chairs of the Group, representatives of States parties and other interested groups to consider the conclusions and recommendations of the expert group meeting and the views of indigenous peoples on an international regime on access and benefit-sharing.

11. The Permanent Forum calls upon United Nations agencies at the regional level to promote regional approaches with the full and effective participation of indigenous peoples to address transboundary issues associated with access and benefit-sharing of genetic resources, the protection of traditional knowledge and the development of an international regime.

12. The Permanent Forum calls upon the States parties to the Convention on Biological Diversity to continue to enhance participatory mechanisms by ensuring that the diverse regional views of indigenous peoples are reflected in discussions on the international regime on access and benefit-sharing. In particular, the parties are urged to ensure adequate representation of indigenous peoples from the seven geo-cultural regions and subregional levels in the Working Group on Access and Benefit-sharing and to ensure that they are provided with opportunities to express diverse regional and subregional views.

13. The Permanent Forum, with the assistance of relevant member of the Inter-Agency Support Group, and in collaboration with indigenous experts, will conduct timely technical reviews at critical stages in the negotiations of international standards on the protection of traditional knowledge, such as the international regime on access and benefit-sharing and the deliberations of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, to evaluate consistency and harmonization with existing and developing international legal instruments, standards and arrangements and, in particular, the human rights of indigenous peoples.

14. The Permanent Forum calls upon the secretariat of the Convention on Biological Diversity to work in partnership with other members of the Inter-Agency Support Group and donors to organize regional workshops for the purposes of information exchange and capacity-building among Governments, indigenous peoples and local communities and other stakeholders with regard to the proposed international regime on access and benefit-sharing. In addition, the secretariat is called upon to provide financial support for indigenous networks to disseminate information, in appropriate and accessible languages, and through appropriate media, to indigenous communities on this issue.

15. The Permanent Forum welcomes and encourages the continuation of the practice of submission of reports by the Governments and indigenous peoples' organizations on implementation of recommendations, including analysis of their positive and negative work experience in the process of implementation.

16. The Permanent Forum welcomes the invitation from the Government of the Russian Federation, the Governor of Yamal-Nenets Autonomous Region, the civil chamber of the Russian Federation and the Russian Association of Indigenous Peoples of the North, Siberia and the Far East (RAIPON) to hold an international meeting in the city of Salekhard, from 1 to 4 July 2007, dedicated to study experiences of interaction between indigenous peoples and private sector, and expresses its appreciation for this invitation. The Forum also calls upon other countries to follow the example of the Russian Federation.

17. The Permanent Forum calls upon those States that have created special national committees on the Second International Decade of the World's Indigenous People to coordinate their activities with the Forum, with emphasis on cooperation at the international level as well as on inviting Forum members to the meetings of the special committees.

18. The Permanent Forum welcomes the continuing preparation by its secretariat of the world report on the situation of the indigenous peoples.

19. The Permanent Forum recommends that the Government of the Russian Federation and RAIPON conduct a half-day discussion during the eighth session of

the Forum on the subject of "Indigenous peoples of the North, Siberia and the Far East of the Russian Federation", with broad participation of the indigenous communities, regional administration and institutions of local self-governance.

20. The Permanent Forum expresses its appreciation for the continuing presence and support of the members of the Inter-Agency Support Group at its annual sessions, and its intersessional meetings and for the valuable written contributions in terms of pre-sessional documentation. The Forum also expresses its appreciation to the International Fund for Agricultural Development (IFAD) for convening and hosting the annual meeting of the Inter-Agency Support Group on Indigenous Issues in September 2006.

21. The Permanent Forum welcomes the participation at its sixth session of indigenous parliamentarians from Bolivia, Brazil, Ecuador, Greenland, Mexico, Nepal, Nicaragua, Norway, Peru, the Russian Federation, Sweden and others, and encourages indigenous parliamentarians to continue participating at future sessions in their own capacity, with special seating arrangements.

22. The Permanent Forum expresses appreciation to Mr. Michael Dodson for the concept paper on traditional knowledge and recommends that the paper be widely circulated. The Permanent Forum invites States, United Nations agencies, non-governmental organizations and indigenous peoples and their organizations and academic institutions to submit written comments to the secretariat for consideration for the seventh session of the Forum.

23. The Permanent Forum expresses appreciation to all States, United Nations agencies and foundations that contributed to the Trust Fund on Indigenous Issues, including contributions for the small grants programme for the Second International Decade of the World's Indigenous People and the Voluntary Fund for Indigenous Populations, and invites States, agencies and foundations to continue contributing generously to the Fund. The Forum recommends expanding the mandate of the Voluntary Fund on Indigenous Populations to support the participation of indigenous peoples in other United Nations meetings, in particular meetings of the treaty bodies.

24. The Permanent Forum expresses appreciation to Mr. Parshuram Tamang and Mr. Yuri Boichenko for their draft questionnaire for United Nations agencies and requests the secretariat of the Forum to use the questionnaire in seeking information from agencies for the future sessions of the Forum.

25. In view of the need to actively promote implementation of its recommendations, the Permanent Forum decides to consider, at its session in 2008, the advisability of alternating its sessions between one year of policy recommendations and one year of monitoring recommendations.

26. The Permanent Forum reiterates the recommendation of its fourth and fifth sessions that the Department of Peacekeeping Operations of the United Nations Secretariat establish a policy on indigenous peoples, in consultation with indigenous peoples.

27. The Permanent Forum recommends that the Human Rights Council, in cooperation with the Forum, undertake a study of the form of structures, procedures and mechanisms that can be established to effectively and pervasively address the

human rights situation of indigenous peoples and to arrange for indigenous representation and inclusion in such structures, procedures and mechanisms.

28. The Permanent Forum recommends that the Human Rights Council include the question of treaties, agreements and other constructive arrangements when undertaking the universal periodic review of States members.

29. The Permanent Forum recommends that the Human Rights Council request the new expert advisory body on indigenous peoples human rights, being established as a subsidiary body of the Human Rights Council, to propose and initiate next steps in order to update and complete the United Nations study on treaties, agreements and constructive arrangements. This could include the possible appointment of a rapporteur to carry out this task and provide regular reports to the Human Rights Council and other appropriate bodies.

30. The Permanent Forum recommends the new expert advisory body on indigenous peoples' human rights, to be established as a subsidiary body of the Human Rights Council, be given the task of developing a framework for the implementation of article 37 of the draft United Nations Declaration on the Rights of Indigenous Peoples, as adopted by the Human Rights Council, to assess implementation of treaties, agreements and other constructive arrangements between States and indigenous peoples in all regions of the world.

31. The Permanent Forum recommends that the third seminar on treaties, agreements and other constructive arrangements, as called for by the Economic and Social Council, take place in Waitangi, Aotearoa (New Zealand), in February 2008 and that OHCHR organize the seminar, the indigenous host communities, States, indigenous organizations and appropriate United Nations bodies.

32. The Permanent Forum urges States, in particular those developed nations that endorsed the Second International Decade, to provide sufficient resources to the Fund for the Decade in order to achieve the five goals of the Decade.

33. The Permanent Forum urges all States, particularly developed nations, to provide for the recognition and integration of customary and traditional laws within domestic justice systems to ensure that indigenous peoples have culturally appropriate access to justice.

34. The Permanent Forum calls on all States that have ratified the International Covenant on Economic, Social and Cultural Rights to develop, in partnership with indigenous peoples, the benchmarks, timelines and indicators to measure progressive realization of indigenous human rights. All services and programmes must be developed and delivered in a non-discriminatory and culturally appropriate manner, with adequate resources to achieve the agreed goals.

35. The Permanent Forum calls for a second international border security summit, to focus on the human rights of indigenous peoples divided by international borders.

United Nations E/C.19/2007/L.11

Economic and Social Council

Distr.: Limited
22 May 2007

Original: English

Permanent Forum on Indigenous Issues
Sixth session
New York, 14-25 May 2007
Agenda item 10
Provisional agenda for the seventh session of the Forum

Draft decision submitted by the Rapporteur

The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decision:

Provisional agenda for the seventh session of the Permanent Forum on Indigenous Issues

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Special theme: "Climate change and the right and the responsibility to maintain the sacred balance of creation for sustainable livelihoods".
4. Implementation of recommendations on the six mandated areas of the Permanent Forum and on the Millennium Development Goals:
   (a) Economic and social development;
   (b) Environment;
   (c) Health;
   (d) Education;
   (e) Culture;
   (f) Human rights.
5. Human rights: dialogue with the Special Rapporteur on situation of human rights and fundamental freedoms of indigenous people and other special rapporteurs.
6. Half-day discussion on the Pacific.
7. Half-day discussion on indigenous languages.

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8. Ongoing priorities and themes and follow-up:
   (a) Indigenous children and youth;
   (b) Second International Decade of the World's Indigenous People:
   (c) Urban indigenous peoples and migration.
9. Future work of the Permanent Forum, including emerging issues.
10. Draft agenda for the eighth session of the Permanent Forum.
11. Adoption of the report of the Permanent Forum.

United Nations E/C.19/2007/L.12

Economic and Social Council

Distr.: Limited
21 May 2007

Original: English

Permanent Forum on Indigenous Issues
Sixth session
New York, 14-25 May 2007
Agenda item 11
Adoption of the report of the Forum on its sixth session

Draft report

Rapporteur: Mr. Michael **Dodson**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft decisions recommended by the Forum for adoption by the Council

1. The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decisions:

[*To be completed*]

B. Matters brought to the attention of the Council

2. The Permanent Forum has identified the proposals, objectives, recommendations and areas of possible future action set out below and, through the Council, recommends that States, entities of the United Nations system, intergovernmental organizations, indigenous peoples, the private sector and non-governmental organizations assist in their realization.

3. It is the understanding of the Secretariat that the proposals, objectives, recommendations and areas of possible future action to be carried out by the United Nations, as set out below, will be implemented to the extent that resources from the regular budget and extrabudgetary resources are available.

[*To be completed*]

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Chapter II
Introduction

4. By its decision 2006/271 of 15 December 2006, the Economic and Social Council decided that the sixth session of the Permanent Forum would be held at United Nations Headquarters from 14 to 25 May 2007.

Chapter III
Proceedings of the session

5. At its 1st to 5th meetings, from 14 to 16 May 2007, the Permanent Forum considered agenda item 3, "Special theme: 'Territories, lands and natural resources'". At its ___ meeting, on ___ May, the Forum considered and adopted its recommendations submitted under agenda item 3 (see chap. I, sect. B).

6. At its 6th to 8th meetings, held on 17 and 18 May, the Forum considered agenda item 4, "Implementation of recommendations on the six mandated areas of the Forum and on the Millennium Development Goals", and sub-items (a) through (f):

(a) Economic and social development;

(b) Environment;

(c) Health;

(d) Education;

(e) Culture;

(f) Human rights.

The Forum considered and adopted its recommendations submitted under agenda item 4 and sub-items (a) to (f) at its ___ meeting, on ___ May (see chap. I, sect. B).

7. At its 8th and 9th meetings, on 18 May, the Forum considered agenda item 5 "Human rights: dialogue with the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people". At its ___ meeting, on ___ May, the Forum considered and adopted its recommendations submitted under agenda item 5 (see chap. I, sect. B).

8. At its 10th meeting, on 21 May, the Forum considered agenda item 6, "Half-day discussion on Asia". At its ___ meeting, on ___ May, the Forum considered and adopted its recommendations submitted under agenda item 6 (see chap. I, sect. B).

9. At its 11th meeting, on 21 May, the Forum considered agenda item 7, "Half-day discussion on urban indigenous peoples and migration". At its ___ meeting, on ___ May, the Forum considered and adopted its recommendations submitted under agenda item 7 (see chap. I, sect. B).

10. At its 12th meeting, on 22 May, the Forum considered agenda item 8, "Ongoing priorities and themes and follow-up: 'Data collection and disaggregation (2004)'" and agenda item 4 (g), "Second International Decade of the World's Indigenous People". At its ___ meeting, on ___ May, the Forum considered and

adopted its recommendations submitted under agenda items 8 and 4 (g) (see chap. I, sect. B).

11. At its ___ meeting, on ___ May, the Forum considered agenda item 9, "Future work of the Forum, including emerging issues". At its ___ meeting, on ___ May, the Forum considered and adopted its draft decision and recommendations submitted under agenda item 9 (see chap. I, sect. A, draft decision ___ and sect. B).

12. At its ___ meeting, on ___ May, the Forum considered agenda item 10, "Provisional agenda for the seventh session of the Forum". At its ___ meeting, on ___ May, the Forum considered and adopted its draft decision submitted under agenda item 10 (see chap. I, sect. A, draft decision ___).

Chapter IV
Adoption of the report of the Permanent Forum on its sixth session

13. At its ___ meeting, on __ May, the Rapporteur introduced the draft decisions and recommendations as well as the draft report of the Permanent Forum on Indigenous Issues on its sixth session.

14. At the same meeting, the Permanent Forum adopted the draft report.

Chapter V
Organization of the session

A. Opening and duration of the session

15. The Permanent Forum held its sixth session at United Nations Headquarters from 14 to 25 May 2007. It held __ formal meetings to consider items on the agenda and four informal meetings for consultations among members of the Forum.

16. At its 1st meeting, on 14 May, the sixth session was opened by the Under-Secretary-General for Economic and Social Affairs and Coordinator of the Second International Decade of the World's Indigenous People. At the opening ceremony, Clint Shenandoah, Chief of the Onondaga Nation, United States of America, offered words of blessing to the session.

17. At the same meeting, the Secretary-General of the United Nations made a video statement. Statements were also made by the Under-Secretary-General for Economic and Social Affairs and the Acting President of the General Assembly.

18. Also at the first meeting, a statement was made by Victoria Tauli-Corpuz, Chairperson of the sixth session of the Forum.

B. Attendance

19. Members of the Forum and representatives of Governments, United Nations entities, intergovernmental organizations and bodies and non-governmental and

indigenous organizations attended the session. The list of participants is contained in annex __ of the present report.

C. Election of officers

20. At its 1st meeting, on 14 May, the Forum elected the following members of the Bureau by acclamation:

Chairperson:
Victoria **Tauli-Corpuz**

Vice-Chairpersons:
William Ralph Joey **Langeveldt**
Otilia Lux de **Coti**
Aqqaluk **Lynge**
Ida **Nicolaisen**

Rapporteur:
Michael **Dodson**

D. Agenda

21. At its 1st meeting, on 14 May, the Forum adopted the provisional agenda as contained in document E/C.19/2007/1.

E. Documentation

22. A list of the documents before the Forum at its sixth session is contained in document E/C.19/2007/INF/1/Rev.1.